

## CONGRESSIONAL RECORD SUMMARY

Tuesday, June 26, 2001

### SENATE

#### Measures Introduced:

**S. 1099.** *A bill to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes; to the Committee on the Judiciary.*  
“... I rise to reintroduce the Federal Judiciary Protection Act with my esteemed colleague, Senator Leahy. This bill will provide greater protection to Federal law enforcement officials and their families. Under current law, a person who assaults, attempts to assault, or who threatens to kidnap or murder a member of the immediate family of a U.S. official, a U.S. judge, or a Federal law enforcement official, is subject to a punishment of a fine or imprisonment of up to 5 years, or both. This legislation seeks to expand these penalties in instances of assault with a weapon and a prior criminal history. In such cases, an individual could face up to 20 years in prison...”

Smith

Pages S 6920, S 6922-3

**S. 1104.** A bill to establish objectives for negotiating, and procedures for, implementing certain trade agreements; to the Committee on Finance.

Graham

Pages S 6920, S 6927-8

#### S. 1052. Patients' Bill of Rights:

*Senate continued consideration of S. 1052*, to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to protect consumers in managed care plans and other health coverage, taking action on the following amendments proposed thereto:

Pages S 6870-85, S 6887-S 6913, D 632

#### Adopted:

**Edwards (for McCain/Edwards) Amendment No. 812**, to express the Sense of the Senate with regard to the selection of independent review organizations.

Pages S 6870, S 6901, D 632

By 93 yeas to 6 nays (Vote No. 198), **Bond Amendment No. 816**, to limit the application of the liability provisions of the Act if the General Accounting Office finds that the application of such provisions has increased the number of uninsured individuals.

Pages S 6895-S 6901, D 632

#### Rejected:

By 39 yeas to 61 nays (Vote No. 196), **Frist (for Grassley) Modified Motion** to Commit to the Committee on Finance, the Committee on Health, Education, Labor and Pensions, and the Committee on the Judiciary with instructions to report back not later than that date that is 14 days after the date on which this motion is adopted.

Pages S 6870-84, D 632

By 43 yeas to 57 nays (Vote No. 197), **Gramm Amendment No. 810**, to exempt employers from certain causes of action.

Pages S 6870, S 6984-5, D 632

**Kyl Amendment No. 818**, to clarify that independent medical reviewers may not require coverage for excluded benefits and to clarify provisions relating to the independent determinations of the reviewer.

Pages S 6902-9, D 632

**Allard Amendment No. 817**, to exempt small employers from certain causes of action.

Pages S 6909-13, D 632

#### S. 1052. Patients' Bill of Rights (Cont'd.):

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, June 27, 2001, with 60 minutes for debate in relation to the *Allard Amendment No. 817* (listed above), prior to a vote in relation to the amendment, and 60 minutes for debate in relation to the *Kyl Amendment No. 818* (listed above), followed by a vote in relation to the amendment, with no second degree amendments in order to either amendment prior to the votes.

*Pages S 6901, D 632*

**Committee Meetings:**

**Committee on Appropriations:** Subcommittee on Legislative Branch concluded hearings on proposed budget estimates for fiscal year 2002 for the Architect of the Capitol.

*Page D 633*

**Committee on the Judiciary:** *Subcommittee on Administrative Oversight and the Courts held hearings to examine the role that ideology should play in the selection and confirmation of Federal judges, receiving testimony from Lloyd N. Cutler, Constitution Project, and C. Boyden Gray, Wilmer, Cutler & Pickering, both former White House Counsels, Marcia D. Greenberger, National Women's Law Center, and Clint Bolick, Institute for Justice, all of Washington, D.C.; Laurence H. Tribe, Harvard Law School, Cambridge, Massachusetts; Stephen B. Presser, Northwestern University School of Law, and Cass R. Sunstein, University of Chicago Law School and Department of Political Science, both of Chicago, Illinois; and Eugene Volokh, University of California School of Law, Los Angeles.*

*Page D 634*

**Committee Meetings For Wednesday, June 27, 2001:**

**Committee on the Judiciary:** *@ 10:00 a.m. To hold hearings to examine the protection of the innocent, focusing on competent counsel in death penalty cases. SD-226.*

**Committee on Rules and Administration:** *@ 10:30 a.m. To hold hearings to examine a report from the U.S. Commission on Civil Rights regarding the November 2000 election and election reform in general. SR-301.*

*Page D 638*

**Remark:**

**Colorado Republican Case.**

*"... The Supreme Court's decision yesterday, unexpected as it was to many in the Senate and in the legal community, is a major boost for our efforts. The Court has spoken. Now Congress must act..."*

Feingold

*Pages S 6885-6*

**HOUSE**

**Bills Introduced:**

**H.R. 2312.** A bill to provide for protection of the flag of the United States; to the Committee on the Judiciary.

Boucher

*Page H 3617*

**H.R. 2315.** *A bill to protect consumers in managed care plans and in other health coverage; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.*

Fletcher

*Page H 3618*

**H.R. 2299. Transportation Appropriations Act for Fiscal Year 2002:**

*The House passed H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002 by a ye and nay vote of 426 yeas to 1 nay, Roll No. 194.*

*Pages H 3550-81, H 3582-94, D 635*

Earlier, the House agreed to consider the rule by a ye and nay vote of 219 yeas to 202 nays, Roll No. 190. Representative Moran of Virginia had raised a point of order against its consideration pursuant to Sec. 426 of the Congressional Budget Act.

*Pages H 3539-49, D 636*

**Executive Communication:**

**EC.-2683.** A letter from the White House Liaison, Department of Justice, *transmitting a report pursuant to the Federal Vacancies Reform Act of 1998*; to the Committee on Government Reform.

*Page H 3617*

**Committee Meetings:**

**Committee on Appropriations:** Subcommittee on Legislative held a hearing on the Library of Congress, the GPO, the GAO and on the CBO.

*Page D 636*

**Committee on the Judiciary:** Ordered reported the following bills: **H.R. 2137, Criminal Law Technical Amendments Act of 2001**; and **H.R. 1892**, amended, Family Sponsor Immigration Act of 2001.

**Committee on the Judiciary:** Subcommittee on Commercial and Administrative Law held a hearing on the following bills: **H.R. 1552**, Internet Tax Nondiscrimination Act; and **H.R. 1675**, Internet Tax Nondiscrimination Act.

**Committee on Science:** Subcommittee on Research held a hearing on Reinventing the Internet: Promoting Innovation in IT.

*Page D 637*

**Committee Meetings For Wednesday, June 27, 2001:**

**Committee on Appropriations, @ TBA.** *Subcommittee on Commerce, Justice, State and Judiciary, to mark up appropriations for fiscal year 2002. H-309 Capitol.*

*Page D 637*

**Committee on the Judiciary, @ 10:00 a.m.** Subcommittee on Courts, the Internet, and Intellectual Property, hearing on **S. 487**, Technology, Education, and Copyright Harmonization Act of 2001. 2141 Rayburn.

**Select Committee on Intelligence, @ 2:00 p.m.** Working Group on Terrorism and Homeland Security and the Subcommittee on Intelligence Policy and National Security, executive, joint briefing on Counterterrorism Issues. H-405 Capitol.

*Page D 639*

**Remark:**

**Health Care Reform.**

*"...The legislation that the Republican leadership introduced today does not provide many of the assurances that I talked about tonight that the real Patients' Bill of Rights provides. [ ] In addition, the Republican bill provides only a narrow venue for State lawsuits which then forces all suits over improperly denied care to go to **Federal court**. [ ] If the Republican bill forces you into **Federal court**, there are not that many **Federal courts** and their dockets are overcrowded and people have a much harder time suing in **Federal court**, and it costs you a lot more money to sue in **Federal court**..."*

Pallone

*Pages H 3600-2*

***NEW PUBLIC LAW***

***H.R. 1914, to extend for 4 additional months the period for which chapter 12 of title 11 of the United States Code is reenacted. Signed on June 26, 2001. (Public Law 107-17)***

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**Next SENATE MEETING: Wednesday, 9:30 a.m., June 27, 2001.**

**Next HOUSE MEETING: Wednesday, 10:00 a.m., June 27, 2001.**

**OLA: S. Schwarz (Smith), J. Homanich**